

# **The Bill Blackwood Law Enforcement Management Institute of Texas**

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## **Law Enforcement Physical Readiness Standards**

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**A Leadership White Paper  
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## **ABSTRACT**

Law enforcement physical readiness standards are relevant to contemporary law enforcement because the governing body of law enforcement in the state of Texas, known as the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE), requires officers to qualify annually with their firearms and mandates classes for continuing education but has no requirements for providing or maintaining a physical readiness standard. The majority of departments require that new officers pass a physical fitness test, but only during the hiring process for employment. The position of the researcher is that TCLEOSE should make it mandatory for all agencies to require a physical readiness standard for all officers.

The types of information used to support the researcher's position included a review of articles, other department's policies and standards, Internet sites, periodicals, journals, as well as seminars presented by the Cooper Institute, which certifies officers as law enforcement fitness specialist. The conclusion is that it should be mandatory for all Texas police agency's governed by TCLEOSE to provide training and testing to achieve a physical readiness standard.

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## INTRODUCTION

The relevance of this paper is to provide a logical and comprehensive argument for why all Texas law enforcement agencies should be held to a yearly physical readiness standard, and it should be required by Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE). Around the state of Texas, most agencies require an officer to take a written test, firearms test, and possibly a physical abilities test during the initial phase of the hiring process. Once this is completed and the officer moves through the background investigation process and is hired on as a full-time officer, the incentive to maintain physical fitness in law enforcement ceases to exist. It is a well known fact that in the state of Texas, a cadet has to go through some sort of certified police academy to receive his/her commission from TCLEOSE. During this academy, officers have to perform proficiency tests with firearms and usually must pass some sort of physical fitness testing before he or she can graduate. Also, cadets are required to pass a mandatory test from TCLEOSE before becoming a certified officer.

The law enforcement community and governing body should place more emphasis on an officer's total wellbeing, which includes physical readiness. The benefits of this emphasis on physical readiness standards will help the profession grow and be recognized more as a "profession." It has been proven over the years that physical health in the workplace will have positive effects in several different areas, including longevity, a decrease in health insurance premiums, an increase in productivity, and an overall increase in the quality of life (Hoffman & Collingwood, 1995). According to heart disease and stroke statistics compiled by the American Heart

Association's, cardiovascular disease remains the leading cause of death for men and women in the United States (American Heart Association, 2009). The United States Department of Labor Bureau's (2007) statistics estimated that between 2008 and 2009, there are approximately 861,000 police officers in the U.S. workforce (US Labor Bureau, 2007). In a recent study at the University of Buffalo in New York, it showed that police officers have a higher mortality and suicide rate. They also concluded, in a study of over 300 officers compared to 300 general population citizens, that police officers have an increased rate of cancer and cardiovascular disease (CVD) compared to other working populations (Nedra, Violanti, Donahue, & Trevisan, 2009).

Mortality statistics suggest that law enforcement officers are more likely to die prematurely and may have a special vulnerability for certain diseases. Hoffman and Collingwood (1995) stated that "Most studies indicated that law enforcement officers die at earlier ages than expected for the general population for all causes of death, and in particular for diabetes, colon cancer, and cardiovascular disease" (p. 8). Based on the research regarding physical readiness standards, TCLEOSE should make it mandatory for all agencies to provide annual training and testing to maintain physical standards for the health and overall well being of the law enforcement community. This would include validation of the test, time to prepare officers for the test, and adding necessary money in the budget to maintain a yearly physical readiness standard.

## **POSITION**

Police officers are a unique cohort within the workforce because of exposure to stressors that can have physical, emotional, and physiological implications. Increased mortality rates and suicide rates and increased rates of cardiovascular disease are

associated with police work compared with other working populations. There are approximately 861,000 police officers in the United States workforce (Nedra, Violanti, Donahue, & Trevisan, 2009). Law enforcement officers already have many health issues associated with the profession like cardiovascular disease, smoking, stress, and alcohol. Work stress for law enforcement has been associated with anxiety, depression, post traumatic stress disorder, alcohol abuse, and aggression in a study of officers less than 50 years of age. Perceived stress has also been associated with CVD and hypertension as well as increased frequency of tobacco use, hypercholesterolemia, and obesity (Nedra, Violanti, Donahue, & Trevisan, 2009).

The current battery of testing being used throughout the law enforcement community of standards dates back to 1979, when the Copper Institute put together a health related fitness battery to measure the major health related areas (FitForce, 2007). In the book *Fit for Duty*, physical fitness is defined as the ability to perform physical activities, such as job tasks, with enough reserve for emergency situations and the enjoyment of recreational pursuits (Hoffman & Collingwood, 1995). The main components the battery of testing measures are cardiorespiratory fitness, body composition, flexibility, absolute strength, and dynamic strength. The battery of tests include the 1.5 mile run that tests cardiorespiratory fitness, a sit and reach test that tests flexibility and a body composition, and a one minute sit up test that tests absolute strength and body composition. In addition to these tests, there is also a one minute push up test and a bench press and leg press test that tests absolute strength. These tests have currently been updated by FitForce and other companies during validation testing. They also include the 300 meter run, vertical jump, and the agility run (FitForce,

2007). Most agencies are less likely to use the leg press test. The Civil Rights Act of 1991, which requires the same job same standard practice, has required law enforcement agencies to include job task simulation. This means that law enforcement officers might have to pursue someone, so foot pursuits should be included in the testing. The most common job simulation tests are extraction, pursuit, and clearance task related activities.

All agencies should require more than just an entry level physical fitness test, which is used to access initial job performance. New officers have to pass a physical test once to see if they are capable of doing the job. After the initial testing, officers are usually never medically screened or tested again. If this was done on an annual basis, it would cut down on time off and workman's compensation claims. This would, in turn, reduce company liability and insurance premiums. This would also create a positive image throughout the law enforcement community and make people feel better about the officers who are paid to protect them.

## **COUNTER POSITION**

Resistance to the idea of a mandatory physical readiness standard can be divided into four areas of concern: budget, validation of the test, legal issues, and passing TCLEOSE approval. The first main issue is budget. During this time of economic unsteadiness, it becomes necessary for some agencies to reduce or maintain their current budget from the prior year. With the implementation of physical readiness standards, it would require an agency to establish a workout program, provide officers the necessary time and training to met the standards, and deal with possible medical conditions that occur during any training on duty. This program would have an initial

large cost if an agency used a company to come in and evaluate officers and job essential functions. The Sugarland Police Department hired Fitness Intervention Technologies, Incorporated to conduct a study to validate job essential physical tasks. Sugarland spent around \$100,000 to have Fitness Intervention Technologies, Incorporated for Public Safety Physical Ability testing. The purpose of fitness testing, as stated by the Cooper Institute, is to discriminate who can effectively perform the essential physical job tasks versus those who cannot perform the tasks (The Cooper Institute, 2009).

Validation is the second area of concern regarding mandatory physical fitness for law enforcement officers. Validation is defined by Merriam-Webster's online dictionary as an act, process, or instance of validating and can refer to determining the degree of validity of a measuring device. The overall goal with each individual police department should be to validate job simulation and physical readiness. Most law enforcement agencies administer either a physical fitness test or a job task simulation test (Hoffman & Collingwood, 1995). The physical aspect of testing is done by giving the National Law Enforcement Fitness Test, also known as the Cooper Test. This test consists of the mile and a half run, body composition, 300 meter run, vertical jump, bench press, sit and reach, push ups, and sit ups (The Cooper Institute, 2009). Job task simulation tests consist of physical tasks that law enforcement officer would typically perform (The Cooper Institute, 2009). These tests would consist of climbing a fence, jumping a ditch, or dragging a dummy a certain distance. The testing validated job task simulation and physical readiness within the Sugarland Police Department and was implemented at the beginning of 2009. It gave officers 1 year to prepare for the test. Once the physical



readiness policy was implemented, the department had to give officers time on duty to work out and get in shape for the testing. Furthermore, it required them to maintain a physical readiness standard, and it required physical fitness trainers to work with officers who had problems not meeting the standards. The Cooper Institute also offers classes for officers to get their Law Enforcement Fitness Specialist certificates. These can be costly, but they are useful for developing workout programs within departments.

The Civil Rights Act of 1991, section 106 states that if an employer has a legally sufficient validity study or other evidence demonstrating that performance on the physical fitness test is predictive of successful job performance, the employer may not use gender based test results. For the employer, this means that when using any test that has not been validated, they must use different times for females and males while testing. Once a validation study has been completed, the employer can use one standard for all employees.

The last counterpoint regarding making the implementation of physical fitness standards mandatory is that the governing body for law enforcement, TCLEOSE, has historically stayed away from the issue and left it for each agency to decide. The issue of making it mandatory for all agencies to follow or creating a standard or rule for all agencies to follow regarding physical fitness can be a political nightmare. TCLEOSE is the state licensing agency for law enforcement and correction in the state of Texas. TCLEOSE sets policy and approves rules and procedures formulated by the Executive director and staff. The Commission is made up of nine members who are appointed by the governor, along with the presiding officer. The commission meets four times a year. Creating such a standard is difficult because many agencies have elected officials, and

chiefs are appointed by mayors and city managers. It has been proven through past attempts that TCLEOSE does not want to make physical fitness mandatory in the same manner that they have made firearms training, crisis intervention training, and racial profiling training mandatory. These issues, in the past, have had political and legal ramifications throughout law enforcement, requiring necessary change within the state.

Each of the above issues can impact an agency's desire and ability to incorporate a mandatory physical fitness program; however, these issues should not stop an agency from bettering their officer's health. Agencies constantly compare city size, budget, and agency size when determining pay grades, policy, and procedures. It can be argued that if an agency, such as Sugarland, has completed validation, implemented the training, and has had success with physical fitness, then other agencies of the same size could adopt the policies and procedures into their own system. This could save money and time for an agency to get started. Agencies can also request money from The 100 Club, the police auxiliary, and through police grants. The 100 Club is a non-profit organization that provides money to help surviving dependants of fallen officers. To date, over 30 million dollars has been collected and dispersed to surviving dependents, special equipment or needs, education, and awards (The 100 Club, n.d.). The 100 Club not only provides money to the families of fallen officers, but it helps agencies with equipment needs when they have budget issues. The local police auxiliary, such as the one in the City of Missouri City, collect donations and has fundraisers, and the funds are then donated to the police department for a special need, like equipment and training. State and federal grant money is set aside for agencies to use when the budget does not cover all of its needs.

Validation and legal issues are considerations when implementing a physical readiness program. However, there are companies throughout the state of Texas that have validated physical fitness standards for law enforcement agencies. Companies like Fitness Intervention, Fit Force, and the Cooper Institute have done numerous validations regarding physical fitness standards for law enforcement agencies. It should be noted that the Cooper Institute does not validate but makes suggestions regarding what tests should be used in law enforcement.

TCLEOSE has traditionally not supported a mandatory physical readiness program; however, the health and safety of officers is of paramount importance. Research continues to indicate that attention be paid to the health of officers to ensure the safety of them and the citizens they protect. The issue is the health and safety of the officer and the public. If an officer is not healthy and cannot perform job related tasks, then the public is not safe. It is imperative that officers stay in superior shape to protect the public, themselves, and provide physical support for fellow officers. Agencies are sued for failing to train in the area of firearms and crisis intervention, which has been addressed in past years by TCLEOSE. It is just a matter of time before failure to train in the physical realm will cost an officer his or her life, not to mention possibly causing a citizen to lose his or her life.

## **CONCLUSION**

The governing body of all Texas law enforcement agencies, TCLEOSE, should make it mandatory that every agency train and test officers and require they pass the test to maintain certification. This would require the passage of legislation that would make physical fitness readiness mandatory just as it is mandatory for officers to qualify

on a yearly basis and complete continuing education classes. Once legislation is passed and funding is received, the physical readiness standard can be put in place. It could be statewide, with a grace period of one year to bring existing officers up to the standards. The standard should match that of what is suggested by the Cooper Institute, which has worked in the field of law enforcement and the military since 1976. During the hiring phase, while the officer is conducting all of his/her testing, agencies could also have the initial blood work during a medical screening, which should be completed to see where a possible new hire stands in his fitness needs. The blood work would show if the person has any pre-existing problems related to CVD. Once the physical readiness standard test has been put in place, all new hires would be required to pass the test for consideration of employment with that agency.

TCLEOSE needs to have a validated standard for all agencies that includes not only physical standards, but job related standards. It has been shown that most agencies have the same essential job functions. Once this has been established, each agency can implement or adopt policies or directives for training. This would start off with a medical screening or a participant activity readiness questionnaire. If any officer is screened out for a medical reason, the officer could be sent out for further testing by a licensed physician. Agencies can choose to grandfather officers that are currently employed or make it mandatory for them to participate. At this point, after medical screening is complete, the agency can hold the testing to see where officers stand in regards to training issues they need to address. Agencies should also allow for a specific time frame before the policy is enforced to give officers the opportunity to get in shape to meet the standard. Police agencies can provide one hour of training to the

officers, when there are hours available, to utilize the training room or get with a personal trainer provided by the department. After the policy of physical fitness is in effect, officers who do not pass will be given a certain period of time, like up to 120 days, to retest. During this time, officers should be provided time on duty to exercise and work with a designated personal trainer. If the officer fails to meet the standard, it will be up to each agency to decide what to do with that officer, whether they be placed in a non-enforcement position or dismissed from his or her duties as an officer. The City of Irving, a civil service agency, implemented an incentive program into their policy that allows officers to get pay incentives for certain tier levels reached during testing. Their program is considered a “mandatory take, voluntary pass.”

The governing body of law enforcement in Texas, TCLEOSE, is progressive in changing training with issues like racial profiling and crisis intervention, but it does not address the overwhelming data on officer health and physical wellbeing. Officers have a high rate of CVD, which forces them into an early retirement or a life spent in decline after they retire. From data collected over the past 15 years, fitness areas, like aerobic and anaerobic power, strength, flexibility, explosive power, and agility, have documentation to show that they influence specific task performance (Collingwood, Hoffman, Thomas & Mean LLP, & Smith, 2004). It is imperative that a high level of concern be placed on the current and future well-being of police officers because not only do they have to deal with possibly dying in the line of duty, they have to cope with the long-term effects after facing that possibility every day. The benefit of having physical fitness standards for law enforcement officers in the state of Texas is that it can help both the officer and the employer. The benefits to the agency are a

reduction in sick days, improved productivity, and a reduction in health care cost. The individual officer will benefit by having the opportunity to prevent health problems, increase their life span, and reduce the risk of disability. Hoffman and Collingwood (1995) stated: "An officer's image has a direct impact on his or her effectiveness within the community" (p. 6). The public judges officers by their physical appearance and their lifestyles, both of which are tied to fitness.

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